REMARKS

SUMMARY

Claims 1-8 and 20-27 are subject to examination and claims 9-19 and 28-38 were withdrawn from examination in applicant's Response to the Office Action dated January 10, 2005. Claims 1-5, 7, 8, 20-24, 26, and 27 were rejected in the above-identified Final Office Action, and claims 6 and 25 were objected to by the Examiner.

Applicant appreciatively acknowledges the Examiner's consideration in "Response to Arguments" on page 2 of the applicant's previous arguments, as well as Examiner's withdrawal the rejection of claims 1 and 20 under 35 U.S.C. § 112.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102

In "Claim Rejections – 35 USC § 102", the second paragraph on page 6 of the above-identified Final Office Action, claims 1-4, 8, 20-23 and 27 have been rejected as being fully anticipated by U.S. Patent No. 6,748,378 B1 to *Madan, et al* (hereinafter "MADAN") under 35 U.S.C. § 102(e). For the Examiner's future reference, applicant notes the apparent clerical error in the above-identified Office Action identifying MADAN as "MANDAN." Applicant respectfully traverses the rejection.

Before discussing **MADAN** in detail, it is believed that a brief review of the invention, as claimed, would be helpful. Claim 1 calls for, *inter alia*, a method including:

parsing on a computing system a data processing statement;

identifying on a computing system table field or fields referenced in said data processing statement, **including whether an aggregation operation is to be performed on row values of each of the identified table fields;**

for each identified table field, determining on a computing system whether the table field is a looked-up field;

identifying on a computing system **a basis table** of which non-looked up ones of said identified table field or fields are members;

identifying on a computing system **one or more target tables** from which said looked-up one or ones of said identified table field or fields are to be looked up; and

generating on a computing system a SQL statement, including with said generated SQL statement a **FROM clause** having a subquery **creating** a grouped derivative table comprising grouped non-looked-up table fields and aggregated table fields, and **one or more JOIN clauses** joining the corresponding one or more target tables to the grouped derivative table, **if the data processing statement is determined to contain first one or more table fields to have aggregation operations performed on their row values.**

Claim 20 includes similar language directed to an apparatus with one or more processors coupled to a storage medium having programming instructions stored thereon for execution by the one or more processors.

APPLICABILITY OF MADAN

To anticipate the instant application MADAN must teach EVERY element of the claim as indicated in MPEP 2131, specifically "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). In fact MPEP 2131 clarifies that not only must the claim be expressly or inherently described, but adds that "**The identical invention must be shown in as complete detail as is contained in the ... claim.**" *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

Application No. 10/043,949
Confirmation No. 7485

- 15 -

Attorney Docket No. 109870-130118
IPG No. P106X

SEA/109870/130118/RPE/339165.4

The **MADAN** reference discloses a "method for generating a relational database query statement **using one or more templates** corresponding to search conditions **in an expression tree**" (emphasis added). Assuming arguendo that **an expression tree** may be considered as a **data processing statement**, and **parsing of the expression tree** may be considered as **parsing of a data processing statement** (a contention with which Applicant disagrees, but which does not need to be addressed at this time), **MADEN** nonetheless fails to teach

> identifying on a computing system **table field or fields** referenced in said data
>> processing statement, including whether an **aggregation operation** is to be
>> performed on row values of each of the identified table fields;
>
> for each identified table field, determining on a computing system whether the table
>> field is a **looked-up field**;
>
> identifying on a computing system a **basis table** of which non-looked up ones of said
>> identified table field or fields are members;
>
> identifying on a computing system **one or more target tables** from which said
>> looked-up one or ones of said identified table field or fields are to be looked
>> up.

Accordingly, it follows that **MADEN** fails to teach the generation of a SQL statement based on the above enumerated analyses.

It further follows that **MADEN** fails to teach the required generation, when the data processing statement is determined to contain first one or more table fields to have aggregation operations performed on their row values,

> where the generated SQL statement is required to have a **FROM clause**
>
> where the **FROM clause** has a **subquery**
>
> where the **subquery creates a grouped derivative table** comprising grouped non-
>> looked-up table fields and aggregated table fields, and
>> one or more **JOIN** clauses are used to join the corresponding one or more
>> target tables to the grouped derivative table.

Further, in the penultimate paragraph on page 8, and in the discussion on pages 10 and 11, the Office Action appears to improperly equate the use of UNION in **MADAN** with "JOIN" clauses as recited in claims 1 and 20 of the instant application. The two terms are distinct and different in the SQL. The two different meanings may be readily obtained from any one of a number SQL language reference manuals.

Accordingly, claims 1 and 20 are clearly patentable over **MADAN**.

Claims 2-4, 8, 21-23 and 27 depend from either claims 1 and 20, incorporating their limitations respectively. Thus, for at least the same reasons, claims 2-4, 8, 21-23 and 27 are patentable over **MADAN**.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

In "Claim Rejections – 35 USC § 103", the fifth paragraph on page 10 of the above-identified Final Office Action, claims 5, 7, 24 and 26 have been rejected as being obvious over **MADAN** as applied to claims 1, 4 and 20 in view of *Silberschatz, et al.*(Database System Concepts) (hereinafter **SILBERSCHATZ**) under 35 U.S.C. § 103(a). For at least the reasons previously provided, applicant traverses.

SILBERSCHATZ fails to cure the above discussed deficiencies of **MADAN**. Therefore, claims 1 and 20 remain patentable over **MADAN** even when combined with **SILBERSCHATZ**..

Claims 5, 7, 24 and 26 depend from either claims 1 and 20, incoporating their limitations respectively. Thus, for at least the same reasons, claims 5, 7, 24 and 26 are patentable over **MADAN**.

ALLOWABLE SUBJECT MATTER

Finally, applicant appreciatively acknowledges the Examiner's statement that claims 6 and 25 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." In light of the above, applicants respectfully believe that the rewriting of claims 6 and 25 is unnecessary at this time.

CONCLUSION

In view of the foregoing, Applicant submits that claims 1-8 and 20-27 are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1513. If any fees are due in connection with this paper, the Commissioner is authorized to charge Deposit Account 500393.

Respectfully submitted,
SCHWABE, WILLIAMSON & WYATT, P.C.
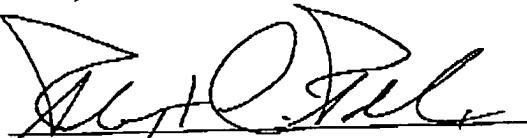
Date: _____August 17, 2005_____ by: _____

Robert C. Peck
Reg. No.: 56,826

Schwabe, Williamson & Wyatt, P.C.
Pacwest Center, Suites 1600-1900
1211 SW Fifth Avenue
Portland, Oregon 97222
Telephone: 503-222-9981